

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

Sealed Motion for Revocation on Offender Under Supervised Release Supervision

Warrant Requested

Name of Offender:	Curtis Malloy	Case Number:	7:12-CR-105-1FL
Name of Sentencing Judge:	Honorable Louise W. Flanagan		
Date of Original Sentence:	February 6, 2013		
Original Offense:	18 U.S.C. §§ 922(g) and 924, Possession of a Firearm and Ammunition by a Felon		
Original Sentence:	51 months imprisonment; 36 months supervised release		
Type of Supervision:	Supervised Release	Supervision Started:	12/30/2015
Defense Attorney:	H.P. Williams, Jr.		

EARLIER COURT ACTION

March 8, 2016 Violation Report for DROPS sanction request for 2 days in jail due to positive urine tests on January 21, 26, February 11, 22, and 24, 2016.

PETITIONING THE COURT

Violation 1 - Using a controlled substance.

On March 8 and 18, 2016, Malloy submitted to urine testing and the results were positive for marijuana. He was advised that continued drug use cannot be tolerated and he was allowed time for the marijuana to clear his system before the next urine test was taken. On May 9, 2016, a urine test was submitted and was positive for marijuana. Another test taken on May 19, 2016, was returned positive for marijuana and cocaine. Based on our testing and laboratory procedures, it appears he has used controlled substances over 5 times since his release which exceeds the number of positive tests allowed within one year pursuant to 18 U.S.C. § 3583(g)(4).

In view thereof, we respectfully petition the court for the issuance of a warrant and recommend that the term of supervision be revoked. Since the defendant's continued drug use poses a danger to the community, it is recommended that this petition and order be placed under seal until execution of the warrant. The purpose of sealing this document is to facilitate officer safety and to disallow the defendant's knowledge of issuance of the warrant.

This the 3rd day of June, 2016.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton


Robert L. Thornton
Supervising U.S. Probation Officer

/s/ John A. Cooper

John A. Cooper
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2046
Executed On: June 3, 2016

THE COURT ORDERS:

- ☒ ISSUANCE OF A WARRANT. This petition and warrant shall remain sealed until the warrant is executed. The Clerk shall provide a copy of the petition and warrant to the U.S. Probation Office and the U.S. Attorney's Office.
- ☐ OTHER:



Louise W. Flanagan
U.S. District Judge

6/3/2016

Date